

NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

BOARD OF PHYSICAL THERAPY

[M07-68]

1. Subject of the substantive policy statement and the substantive policy statement number by which the document or policy statement is referenced:

The purpose of this substantive policy statement is to clarify the requirements for filing a request for accommodations to the National Physical Therapy Examination (NPTE) and to the Arizona Laws Examination in order to ensure that qualified individuals with disabilities are provided the protections guaranteed them under Title II of the Americans with Disabilities Act (ADA). It is the policy of the Arizona Board of Physical Therapy ("Board") to approve accommodation requests when the examination candidate demonstrates he or she has a qualifying disability. The number by which this substantive policy statement is known is SPS 2006-01.

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the publication or issuance:

The substantive policy statement was approved by the Board and became effective April 24, 2006. It was revised by the Board and became effective on January 23, 2007.

3. Summary of the contents of the guidance document or the substantive policy statement:

The Board will require that applicants requesting ADA accommodations to the examinations submit substantiation of the need for the accommodation based on documentation and substantiation of the disability, and to submit the qualifications of the evaluator's qualifications to diagnose and treat the disability specified to include either a licensed physician or a licensed psychologist. The Board will review and take action on the request during a public session meeting while maintaining confidentiality of all medical and diagnostic information and records. Applicants must have a documented physical or mental impairment that substantially limits one or more major life activities. Temporary conditions are not disabilities under the ADA. An impairment is a "disability" under the ADA only if it **substantially limits** one or more **major life activities**.

4. A statement as to whether the guidance document or substantive policy statement is a new document or statement or a revision:

SPS 2006-01 is a revised substantive policy statement.

5. The name, address, and telephone number of the person to whom questions and comments about the guidance document or substantive policy statement may be directed:

Name: Heidi Herbst Paakkonen, Executive Director

Address: 1400 W. Washington, Ste. 230
Phoenix, AZ 85007

Telephone: (602) 542-3095

E-mail: heidi.herbst-paakkonen@ptboard.state.az.us

6. Information about where a person may obtain a copy of the guidance document or the substantive policy statement and the costs for obtaining the document or policy statement:

A request may be submitted to the office of the Arizona Board of Physical Therapy as listed above. There is no cost for duplication of the one-page substantive policy statement. There is a \$5 fee for the entire book of the statutes and rules for the Arizona Board of Physical Therapy.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

STATE REAL ESTATE DEPARTMENT

[M07-69]

1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:

Document Title: **Pre-Licensure DVD**

Identification Number: **2006.16 rev.**

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Date of Document: May 15, 2006

Revised: August 21, 2006

Repealed: January 31, 2007

3. Summary of the contents of the substantive policy statement:

Not applicable

4. A statement as to whether the substantive policy statement is a new statement or a revision

See item #2

5. The name and address of the person to whom questions and comments about the substantive policy statement may be directed:

Name: Mike Wheeler, Deputy Director, Admin Actions

Address: 2910 N. 44th St., #100
Phoenix, AZ 85018

Telephone: (602) 771-7786

E-mail: mwheeler@azre.gov

6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

A copy of the substantive policy statement may be downloaded from the Department's web site: www.azre.gov, or obtained from the Custodian of Records, Arizona Department of Real Estate, 2910 N. 44th St., #110, Phoenix, AZ 85018.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

STATE REAL ESTATE DEPARTMENT

[M07-70]

1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:

Document Title: **Electronic license certificate complies with statutory requirement**

Identification Number: **2007.17**

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Date of Document: February 1, 2007

Effective Date of Policy: February 1, 2007

3. Summary of the contents of the substantive policy statement:

The Department of Real Estate will deem a printout of data contained in the ADRE Public Database, or an electronic file of such data that can be recreated electronically or on paper upon request, to be a license certificate. This will increase efficiencies and enhance the timelines of issuing license certificates to real estate, cemetery and membership camping salespersons and brokers. A broker may comply with the statutory requirement that the broker retain and have the certificates available for inspection by accessing the licensed employee's record in the Public Database at www.azre.gov and printing a copy showing current and active licensure to the employing broker or having this data available electronically. Employing broker and designated broker license certificates must still be displayed. An acceptable form is a printout of data contained in the ADRE Public Database.

4. A statement as to whether the substantive policy statement is a new statement or a revision

This is a new policy statement.

Notices of Substantive Policy Statements

5. The name and address of the person to whom questions and comments about the substantive policy statement may be directed:

Name: Mike Wheeler, Deputy Director, Admin Actions
Address: 2910 N. 44th St., #100
Phoenix, AZ 85018
Telephone: (602) 771-7786
E-mail: mwheeler@azre.gov

6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

A copy of the substantive policy statement may be downloaded from the Department's web site: www.azre.gov, or obtained from the Custodian of Records, Arizona Department of Real Estate, 2910 N. 44th St., #110, Phoenix, AZ 85018.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

STATE REAL ESTATE DEPARTMENT

[M07-71]

1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:

Document Title: **Real Estate Licensee Advertising**
Identification Number: **2007.18**

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Date of Document: February 1, 2007
Effective Date of Policy: February 1, 2007

3. Summary of the contents of the substantive policy statement:

To reduce unsubstantiated complaints and the backlog of investigations from such complaints regarding telephone and address requirements for advertising by a licensee, the following clarifies the Commissioner's Rules on advertising. There is no statute or rule that states which telephone number (employing broker's or licensee's), address must appear in an advertisement. Individuals are required by R4-28-302 (I) to "conduct or promote real estate business" in the name under which the person is licensed. R4-28-301 (D) provides that "[t]he Department shall issue to a qualified person a license bearing the legal name of the licensee and any additional nickname, corporate, or dba name that the Commissioner finds is not detrimental to the public interest." Additionally, R4-28-301 (D) provides that a professional corporation or professional limited liability company licensed under A.R.S. § 32-2125 (B) shall not adopt a dba name. Thus, a licensee must include his or her name, as it appears in Department records and on their license, in any advertisement. In addition, R4-28-502 (E) requires that the (legal or dba) name of the EMPLOYING BROKER (the corporation, partnership, limited liability company or sole proprietor) appears in all advertising in "a clear and prominent manner."

4. A statement as to whether the substantive policy statement is a new statement or a revision

This is a new policy statement.

5. The name and address of the person to whom questions and comments about the substantive policy statement may be directed:

Name: Mike Wheeler, Deputy Director, Admin Actions
Address: 2910 N. 44th St., #100
Phoenix, AZ 85018
Telephone: (602) 771-7786
E-mail: mwheeler@azre.gov

6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

A copy of the substantive policy statement may be downloaded from the Department's web site: www.azre.gov, or obtained from the Custodian of Records, Arizona Department of Real Estate, 2910 N. 44th St., #110, Phoenix, AZ 85018.

NOTICE OF AGENCY SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF INSURANCE

[M07-72]

- 1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**
Revision of Private Passenger Automobile Property Damage Threshold for Purposes of A.R.S. § 20-1631(E) (Regulatory Bulletin 2007-01).
- 2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
February 1, 2007
- 3. Summary of the contents of the substantive policy statement:**
This bulletin announces the adjustment to the threshold amount of property damages insurers may use to nonrenew private passenger automobile policies under A.R.S. § 20-1631(E). The property damage threshold level is increased to \$2,220.
- 4. A statement as to whether the substantive policy statement is a new statement or a revision:**
This is a new statement.
- 5. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:**
Name: Jack Sneathen
Address: Arizona Department of Insurance
2910 N. 44th St., Ste. 210
Phoenix, AZ 85018
E-mail: jsneathen@azinsurance.gov
Telephone: (602) 364-3453
Fax: (602) 364-8989
- 6. Information about where a person may obtain a copy of the substantive policy statement:**
Copies of this policy may be obtained from the Internet at www.id.state.az.us or from the person listed in item #5 for 25 cents per page.